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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 MARK ROBERT QUIROZ,) No. C 11-0016 LHK (PR)
11)
12 Plaintiff,) ORDER GRANTING PLAINTIFF'S
13 v.) MOTION TO DISMISS DEFENDANT
14 ROBERT A. HOREL, et al.,) DEVAN HAWKES
15 Defendants.)
_____) (Docket No. 236)

16 On July 16, 2013, plaintiff, a state prisoner proceeding *pro se*, filed a third amended civil
17 rights complaint pursuant to 42 U.S.C. § 1983. Upon screening, the court ordered it served upon
18 named defendants. (Docket No. 181.) On October 23, 2013, a summons was returned
19 unexecuted for defendant Devan Hawkes because he had “retired with no forwarding
20 information.” (Docket No. 202.) On December 18, 2013, the court directed plaintiff to file a
21 notice with the court containing a current and accurate address for defendant Devan Hawkes
22 such that the Marshal is able to effect service. (Docket No. 230.) On January 24, 2014, plaintiff
23 filed a motion to voluntarily dismiss defendant Devan Hawkes from this action. (Docket No.
24 236.)

25 Plaintiff's motion is **GRANTED**. Defendant Devan Hawkes is **DISMISSED** without
26 prejudice. The clerk shall terminate said defendant from this action.

27 This order terminates docket number 236.

28 IT IS SO ORDERED.

DATED: 2/25/14

Lucy H. Koh

LUCY H. KOH
United States District Judge

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